

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0043 – Barton Hills **P.C. DATE:** March 11, 2008
Vertical Mixed Use Building (V) Rezoning

AREA: 5 tracts on 37.265 acres

APPLICANT: City of Austin, Neighborhood Planning and Zoning Department (NPZD)

AGENT: City of Austin, Neighborhood Planning and Zoning Department (NPZD),
Gregory Montes

NEIGHBORHOOD ORGANIZATIONS:

City of Sunset Valley
Barton Hills-Horseshoe Bend Assn. (Barton Hills NA)
Zilker Neighborhood Assn.
Clarksville Community Development Corp.
Home Builders Association of Greater Austin
Save Our Springs Alliance
Old Spicewood Springs Rd. Neighborhood Assn.
Austin Independent School District
Oak Hill Combined NPA
Barton View Neighborhood Assn.
Barton Springs Coalition
South Central Coalition
Austin Neighborhoods Council
City of Rollingwood
South Bank Alliance
Treemont Homeowners Assn., Inc.
Barton Springs/ Edwards Aquifer Conservation Dist.
Save Town Lake.Org
South Lamar Combined Planning Area Staff Liaison
Greater West Austin Neighborhood Planning Area
Old West Austin Neighborhood Plan Contact Team
CIM
Save Barton Creek Assn.
Homeless Neighborhood Organization
2222 Coalition of Neighborhood Associations
League of Bicycling Voters

AREA OF PROPOSED ZONING CHANGES: The Barton Hills Neighborhood Planning area is bounded by Robert E. Lee, Rabb Road, Rae Dell Avenue, Barton Skyway, and Lamar Boulevard to the east, Stearns Lane and MoPac Expressway to the west, and Lady Bird Lake on the north. Vertical Mixed Use Building (V) zoning and/or an amendment to the VMU overlay district is being proposed for properties within the Barton Hills Neighborhood

Planning Area. Please refer to attachments.

WATERSHEDS: Eanes Creek, Barton Creek, Town Lake

DESIRED DEVELOPMENT ZONE: No

SCHOOLS: Barton Hills Elementary School

APPLICABLE CORE TRANSIT CORRIDORS : South Lamar Blvd.

STAFF COMMENTS:

The VMU Overlay District in the Barton Hills Application Area includes 37.265 acres. The Barton Hills Neighborhood Association is recommending excluding properties from the Overlay District totaling approximately 33 acres. For those properties recommended to remain in the Overlay District, the neighborhood association has recommended that the remaining 4.265 acres be opted out of the Parking Reduction incentive. The remaining acreage of the neighborhood's recommendations for properties to be given the Vertical Mixed Use Building (V) zoning designation is 4.265 acres.

LIST OF ATTACHMENTS:

Attachment 1: Barton Hills VMU Neighborhood Recommendations

Attachment 2: List of Barton Hills Neighborhood VMU Application Properties by Tract #, TCAD Property ID and City of Austin Address for properties in the VMU Overlay District

Attachment 3: Barton Hills VMU Application Area VMU Overlay District Tract Map

Attachment 4: Zoning Map

Attachment 5: Barton Hills VMU Application Area Vertical Mixed Use (VMU) Opt-In / Opt-Out Application

Attachment 6: Overview of Vertical Mixed Use (VMU) and the VMU Opt-In/Opt-Out Process

Attachment 7: Planning Commission Comment Form

PLANNING COMMISSION RECOMMENDATION:

March 11, 2008:

- Approved vertical mixed use building (V) zoning with Dimensional Standards, and Additional Uses in Office Districts to tracts 1-3

- Amend the boundaries of the VMU Overlay District to exclude tracts 4 and 5.
- Approved an affordability level of 60% of the median family income for 10% of rental units in a vertical mixed use building to tracts 1-3.

ISSUES: None at this time.

CITY COUNCIL DATE: March 27, 2008

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Gregory Montes
e-mail: gregory.montes@ci.austin.tx.us

PHONE: 974-2629

NEIGHBORHOOD RECOMMENDATION

The Barton Hills Neighborhood Association noted in their application that VMU is inappropriate on those properties located along South Lamar, starting from Loop 360 to 3308 South Lamar (Tracts 4-5). "All these properties sit on top of environmental features, and high-density development would encroach on the Greenbelt". The neighborhood has also opted out of one VMU incentive, the Parking Reduction for tracts 1-3. However, the neighborhood is not opting out of the Dimensional Standards or the Additional Ground Floor Uses in Office Zoning.

BACKGROUND

On August 31, 2006, the City Council adopted the "Design Standards & Mixed Use" ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless "opted-out". Properties not fronting on the Core Transit Corridors are not eligible for VMU unless "opted-in".

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide

recommendations to the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2008-0043 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the Barton Hills Neighborhood application area. A more detailed overview of Vertical Mixed Use and the Opt-In/Opt-Out process is provided in Attachment 6.

Impervious Cover

The maximum impervious cover limits for the proposed zoning districts are as follows:

LI, Limited Industrial Services	80 %
CS, Commercial Services	95 %
CS-1, Commercial – Liquor Sales	95 %
W/LO, Warehouse Limited Office	70%
GR, Community Commercial	90 %
LR, Neighborhood Commercial	80 %
LO, Limited Office	70 %
MH, Mobile Home	N / A
MF-4, Multifamily Residence Moderate – High Density	70%
MF-3, Multi-family Residence (Medium Density)	65 %
MF-2, Multi-family Residence (Low Density)	60 %
SF-6, Townhouse & Condominium Residence	55%
SF-5, Urban Family Residence	55%
SF-3, Family Residence	45 %
SF-2, Single Family Residence – Standard Lot	45 %
P, Public	varies (refer to the <u>Land Development Code</u>)

The maximum amount of impervious cover is determined as the more restrictive figure of the zoning district and watershed class.

Transportation

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW,

participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

Water and Wastewater

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

Compatibility Standards

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district/use will be subject to compatibility development regulations.

**Barton Hills VMU Neighborhood Recommendations
C14-2008-0043**

VMU Overlay District					
Tract # (1)	All VMU-Related Standards Apply	OPT OUT (2)			Exclude from VMU Overlay District
		Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts	
1 - 3			X		
4 - 5					X

RECOMMENDED AN AFFORDABILITY LEVEL OF:

60% OF THE MEDIAN FAMILY INCOME FOR 10% OF THE RESIDENTIAL UNITS AVAILABLE FOR RENTAL WITHIN A VERTICAL MIXED USE BUILDING

- (1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.
 (2) Please refer to attached information for explanations of Opt-Out options.

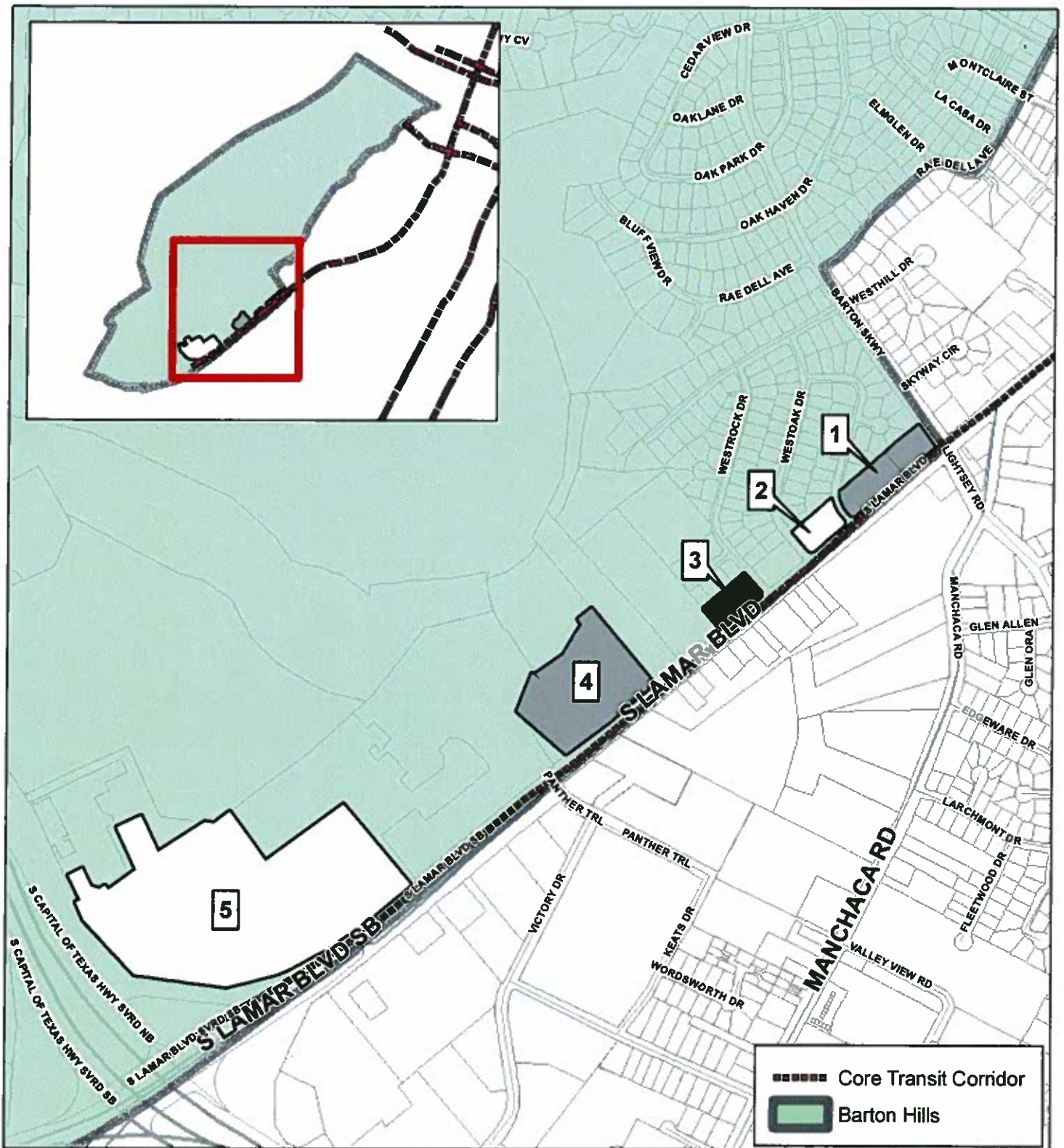
Barton Hills VMU Application Properties
C14-2008-0043

TRACT # (1)	TCAD PROPERTY ID # (2)	COA ADDRESS (3)
1	305415	2900 S LAMAR BLVD
	305416	3010 S LAMAR BLVD
	305417	2912 S LAMAR BLVD
	305418	3000 S LAMAR BLVD
		3002 S LAMAR BLVD
2	305378	3110 S LAMAR BLVD
	305400	3100 S LAMAR BLVD
3	305371	3318 S LAMAR BLVD
	305372	3300 S LAMAR BLVD
		3320 1/2 S LAMAR BLVD
4	306059	3500 S LAMAR BLVD
		3502 S LAMAR BLVD
	306062	3508 S LAMAR BLVD
	464557	3512 S LAMAR BLVD
		3520 S LAMAR BLVD
		3600 S LAMAR BLVD
5	310469	3940 S LAMAR BLVD SB
		4006 S LAMAR BLVD SB
		4036 S LAMAR BLVD SB
	310475	4107 S CAPITAL OF TEXAS HWY NB
		4109 S CAPITAL OF TEXAS HWY NB
		4141 S CAPITAL OF TEXAS HWY NB
		4236 S LAMAR BLVD SB
	310476	4115 S CAPITAL OF TEXAS HWY NB
		4220 1/2 S LAMAR BLVD SB
	310477	4024 S LAMAR BLVD SB
		4030 S LAMAR BLVD SB
		4032 S LAMAR BLVD SB
		4200 S LAMAR BLVD SB
		4220 S LAMAR BLVD SB
	310479	4040 S LAMAR BLVD SB

(1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.

(2) Each TCAD Property ID number represents a separate property, as recorded by the Travis Central Appraisal District.

(3) The COA Addresses listed for each property are those addresses on file with the city pertaining to that property. If a COA address was not available for a property the TCAD address and/or legal description was used.



Barton Hills Neighborhood Planning Area Tract Map - C14-2008-0043

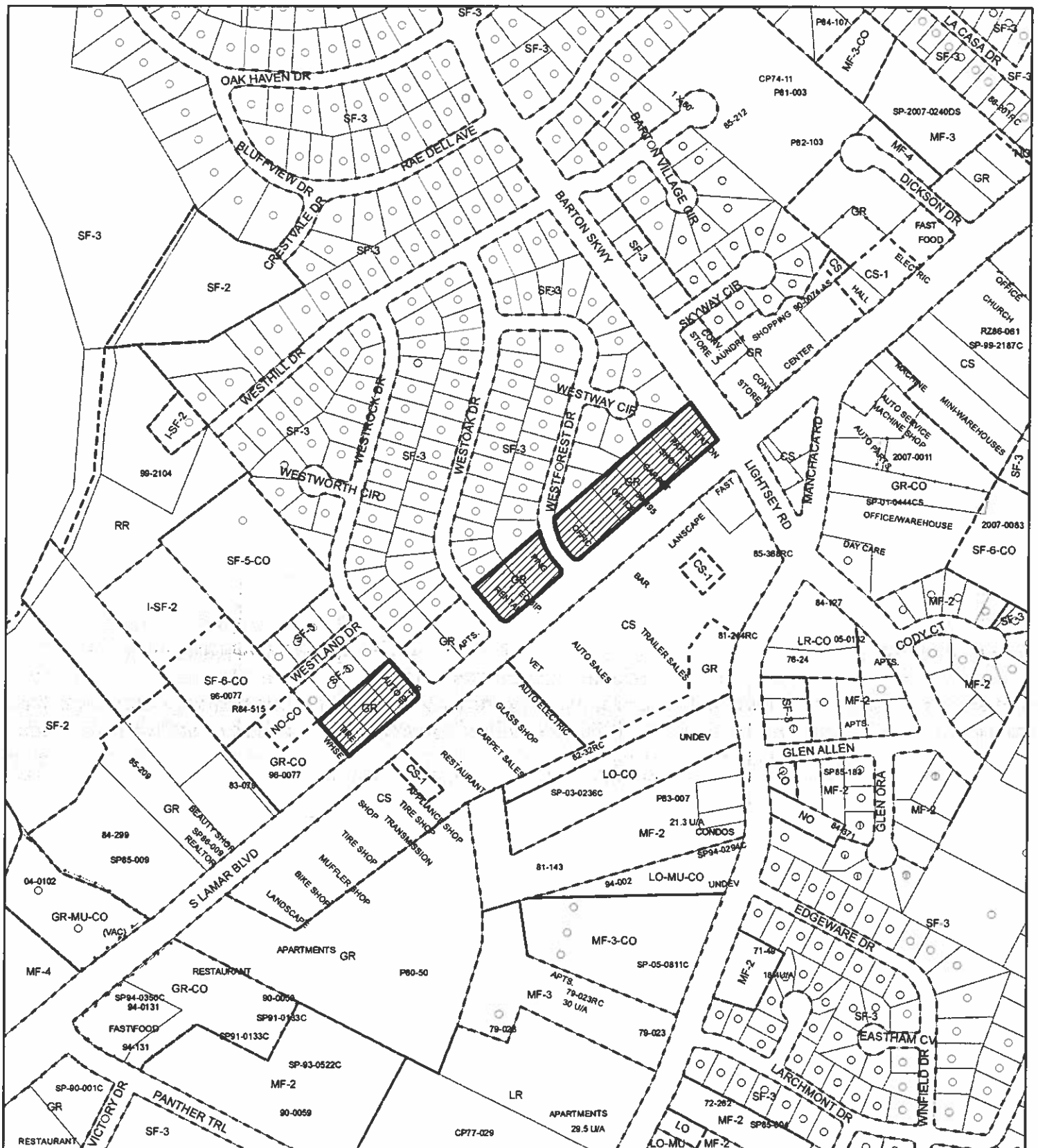
0 250 500 1,000 1,500 Feet






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Neighborhood Planning and Zoning Dept.
February 25, 2008



ZONING

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE#: C14-2008-0043
 ADDRESS: BARTON HILLS PLANNING AREA
 SUBJECT AREA: 0.000 ACRES
 GRID: G20
 MANAGER: G. MONTES

OPERATOR: S. MEEKS



1" = 400'

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VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

Detailed instructions for completing this application can be found by clicking on this link: ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu_instructions.pdf. Please read these instructions prior to completing this application. A "Submittal Checklist" is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal.

If you have questions or need additional information please contact the VMU Help Line at:

vmu@ci.austin.tx.us

or (512) 974-2150

1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:

A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION AREA*:

Barton Hills Neighborhood Association

*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: <ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf>. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT.

NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR CONTACT INFORMATION:

NAME Peter Hess

PHONE (512) 445-7289

E-MAIL phess@mail.utexas.edu

MAILING ADDRESS 2509 Rock Terrace Dr.

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Austin, TX 78704

SECONDARY CONTACT INFORMATION:

NAME Nan Clayton

PHONE (512) 442-7103

E-MAIL nancclayton@yahoo.com

MAILING ADDRESS 2909 Oak Lane
Austin, TX 78704

2. PRINT AND REVIEW THE DETAILED MAPS FOR YOUR AREA

Detailed maps for each application area can be found by going to the map located at the bottom of www.ci.austin.tx.us/planning/verticalmixeduse.htm.

3. IF YOUR AREA HAS PROPERTIES IN THE VMU OVERLAY DISTRICT COMPLETE THE ATTACHED VMU OVERLAY DISTRICT FORM.

See Instructions for VMU Opt-In/Opt-Out Process for more detail.

A blank copy of the VMU Overlay District form is provided below. Please print additional copies as needed.

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VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE of	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
3500 S. Lamar	opt out		opt out	opt out	opt out
3508 S. Lamar	opt out		opt out	opt out	opt out
3520/3600 S. Lamar	opt out		opt out	opt out	opt out
4086 S. Lamar	opt out		opt out	opt out	opt out
4080 S. Lamar	opt out		opt out	opt out	opt out
4220 S. Lamar	opt out		opt out	opt out	opt out
4107 S. Cap. of Tx Hwy	opt out		opt out	opt out	opt out
4115 S. Cap. of Tx Hwy	opt out		opt out	opt out	opt out
2900 S. Lamar				opt out	
2912 S. Lamar				opt out	
3000 S. Lamar				opt out	
3010 S. Lamar				opt out	
3100 S. Lamar				opt out	

* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

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VERTICAL MIXED USE OVERLAY DISTRICT FORM

[illegible]

Neighborhood Planning and Zoning Department

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4. **IF YOUR AREA HAS PROPERTIES OUTSIDE OF THE VMU OVERLAY DISTRICT ON WHICH THE NEIGHBORHOOD WISHES TO PERMIT VMU COMPLETE THE ATTACHED VMU OPT-IN FORM.**

See Instructions for VMU Opt-In/Opt-Out Process for more detail. Note: If your area does not wish to recommend VMU for properties outside of the VMU Overlay District no application is required.

A blank copy of the VMU Opt-In form is provided below. Please print additional copies as needed.

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VERTICAL MIXED USE OPT-IN FORM[illegible]

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* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

5. IDENTIFY A RECOMMENDED LEVEL OF AFFORDABILITY FOR FUTURE VMU RENTAL UNITS.

Indicate a level of affordability for residential rental units. The affordability requirements are triggered only when a VMU Building takes advantage of the dimensional standards and parking reductions approved for a site.

Note: A single affordability level applies to all VMU-eligible properties within the application area. See Instructions for VMU Opt-In/Opt-Out Process for more detail.

Recommended Affordability Level for VMU-eligible properties (check one):

_____ 80% of median family income

_____ 70% of median family income

☒ 60% of median family income

_____ Other level between 60-80% of median family income

6. PLEASE PROVIDE THE FOLLOWING INFORMATION:

A. The following questions refer to the official vote taken by the Neighborhood Planning Team or Neighborhood Association on the Opt-In/Opt-Out application.

A. Was the vote taken in accordance with the Neighborhood Plan Team or Neighborhood Association by-laws?

Yes ☒ No _____

If No, please explain why and how the vote was taken. For example: multiple neighborhood associations were involved with the vote and each association has different by-laws.

B. Please provide the results of the vote:

For all Against 0
Neighborhood Planning and Zoning Department

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C. Number of people in attendance at the meeting: approx. 60

D. Please explain how notice of the meeting at which the vote was taken was provided:

Neighborhood
Newsletter & Listserve

E. Please attach a copy of the notice of the meeting at which the vote was taken.

F. Please provide a copy of the meeting minutes at which the vote was taken. Association

Minutes unavailable until next meeting, Committee on
Ares Development
approved

G. Please read and sign the following:

THE ABOVE STATED INFORMATION IS ACCURATE AND COMPLETED IN ACCORDANCE WITH :

Neighborhood Plan Team By-Laws: _____

Neighborhood Association By-Laws: ✓

Other, as described in question A., above: _____

New Clayton
SIGNATURE OF CHAIR (OR DESIGNEE)

June 4, 2007
DATE

7. MAIL COMPLETED APPLICATION AND DETAILED MAPS TO:

Neighborhood Planning and Zoning Department
Attn: George Adams
P.O. Box 1088
Austin, TX 78767

or, drop-off at the NPZD office at:

One Texas Center
505 Barton Springs Road, 5th floor

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VERTICAL MIXED USE APPLICATION
SUBMITTAL CHECKLIST

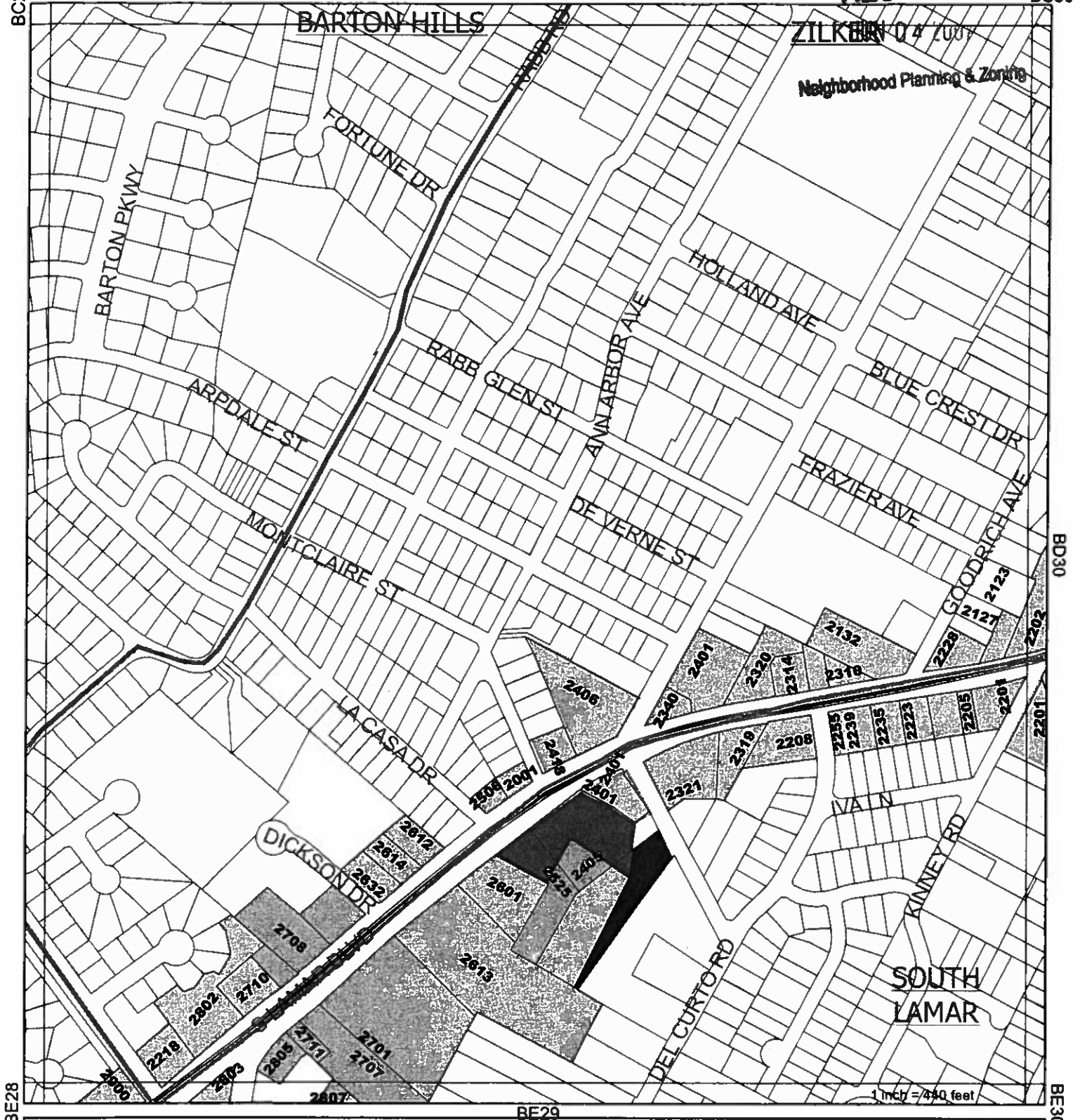
- ☒ 1. Completed application with signature of chairperson.
- ☒ 2. Detailed maps showing locations of properties opted-in or opted-out.
- ☒ 3. Completed VMU Opt-Out Form, if applicable
- ☒ 4. Completed VMU Opt-In Form, if applicable.
- ☒ 5. Copy of the notice of the meeting at which the vote was taken.
- ☐ 6. Copy of the meeting minutes at which vote was taken.

Available after next
neighborhood meeting

BC28








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BC30



**Detailed Maps for Vertical Mixed Use
Opt-in/Opt Out Process
Grid Page: BD29**

Legend

-  **Planning Areas**
-  **Core Transit Corridor**
-  **Future Core Transit Corridor**
-  **Vertical Mixed Use Overlay District ("Opt-out")**
-  **VMU Residentially Used Properties ("Opt-in")**
-  **Mixed Use Combining Districts ("Opt-in")**
-  **TCAD Parcels**



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Vertical Mixed Use Map Grids Black and White.mxd

BD29

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BD30

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BE28

BE30

BF28

BF30

BE29

1-inch = 100 feet

SOUTH
LAMAR

**Detailed Maps for Vertical Mixed Use
Opt-in/Opt Out Process
Grid Page: BE29**










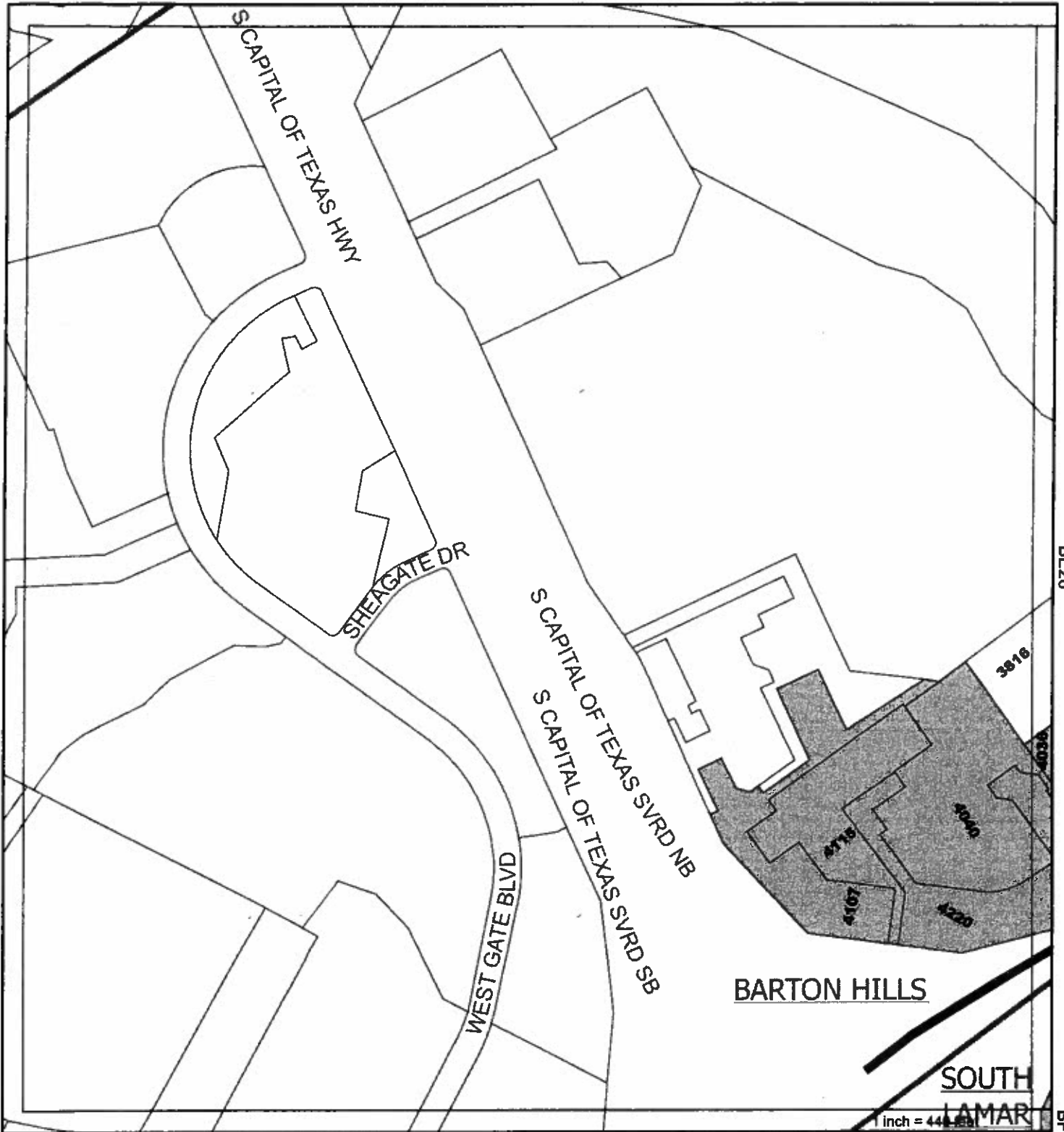
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Vertical Mixed Use Map Grids Black and White.mxd

Legend

- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- VMU Residentially Used Properties ("Opt-in")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels



- Legend**
-  Planning Areas
 -  Core Transit Corridor
 -  Future Core Transit Corridor
 -  Vertical Mixed Use Overlay District ("Opt-out")
 -  VMU Residentially Used Properties ("Opt-in")
 -  Mixed Use Combining Districts ("Opt-in")
 -  TCAD Parcels



BE28

BF28

**Detailed Maps for Vertical Mixed Use
Opt-in/Opt Out Process
Grid Page: BE27**

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Vertical Mixed Use Map Grids Black and White.mxd

Legend

- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- VMU Residentially Used Properties ("Opt-in")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels

RECEIVED**From:** barton_hills@yahoogroups.com on behalf of Peter Hess [phess@mail.utexas.edu]

JUN 04 2007

Sent: Monday, April 09, 2007 1:16 AM**To:** barton_hills@yahoogroups.com**Neighborhood Planning & Zoning****Subject:** [barton_hills] Committee on Area Development

Dear Neighbors,

Visit Your Group

I would like to bring you up to date on the activities of the Committee on Area Development which was instituted by President John Luther earlier this year. The current members of the Committee are Nan Clayton, Melissa Whaley Hawthorne, Glee Ingram, Craig Smith, and myself. If anyone has an interest in joining the group (and the stomach to deal with the intricacies of zoning) please let me know.

SPONSORED LINKS

Let me address some of the issues we have been working on. Please note that the BHNA membership will have to take action on the first issue, the VMU opt-out. Please read this post carefully--you will be better informed for the BHNA membership meeting on Tuesday.

1. The new Vertical Mixed Use (VMU) ordinance.

<http://www.ci.austin.tx.us/planning/verticalmixeduse.htm>

The VMU Overlay is designed to allow for higher-density, well-designed, and more pedestrian-friendly development along main transportation corridors. Some development standards, such as setback and floor to area requirements, will be relaxed under VMU, and it will allow for higher density developments. South Lamar is designated as such a corridor. Neighborhood associations can opt out properties from VMU if they consider specific properties not suitable for development under VMU. All opt-outs have to be approved by City Council, however. The deadline for the opt-in/opt-out process is June 4 which means that the BHNA will have to take action on this at its April 10 meeting. We think that VMU is inappropriate in all those properties along South Lamar that abut the Barton Creek greenbelt (from 3308 S. Lamar all the way to Loop 360)--see the map below: ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/maps/CommercialDesign/vertmixeduse_grid_BE28.pdf

- Austin texas real estate
- Dentist austin texas
- Fort worth texas real estate
- Austin texas new home
- Austin texas realtor

Yahoo! News
Health News
Important health news - get it now

Yahoo! TV
Love TV?
Listings, picks
news and gossip.

Yahoo! Finance
It's Now Personal
Guides, news,
advice & more.

All these properties sit on top of critical environmental features, and high-density development would encroach on the Greenbelt--in a way as the Terrace PUD does now across Barton Creek. The default will be that all properties on S. Lamar will be opted in unless neighborhoods exercise the opt-out option. The Committee on Area Development recommends that the BHNA exercise the opt-out on those properties. I therefore urge you to support our proposal to opt out these properties with your vote at the meeting.

2. Barton Place development (South Bank Alliance). On March 29, the Planning Commission approved a deal between the Zilker NA and the developers of the 4.3 acre Barton Place condo project. This is the property between Barton Springs Road and Toomey which includes Austin Java and the newly opened Uncle Billy brew pub and BBQ (formerly Good Eats). There also is an article in the current issue of the Austin Chronicle about this (p. 32):

6/4/2007

<http://www.austinchronicle.com/gvrobase/Issue/story?oid=oid%3A463085>

You will have to scroll down a bit--the title is "

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Affordable Housing: A \$1 million ante." Here are some of the most important features of the deal.

- 1) It preserves the two restaurants. There will be a height restriction of 20 feet for the first 130 of the property (the area closest to Barton Springs Road). This is enough to protect the restaurants and surrounding trees.
- 2) The large pecan tree in the center of the property will be preserved, and five healthy pecan trees will be moved across Toomey Road (at developer's expense).
- 3) There will be public pedestrian access from Barton Springs Road through the property to Toomey Road and Butler Shores.
- 4) In return, the developers will receive the right to develop the rest of the property at 75 feet (rather than the 60 feet allowed under current zoning), although the height will be staggered on the Barton Springs Rd. side. This means that the development actually will be less visible from BS Rd. than the graphic in the Chronicle shows.
- 5) No waiver from the

1986 Waterfront Overlay Ordinance is granted, and all compatibility standards are met.

6) The developers will contribute one million dollars to affordable housing in the Zilker NA area.

7) The restrictive covenant will be secured by a \$50,000 bond.

In my opinion, this is not only a good solution for the tract, but the deal also sets a good precedent for other development in the South Bank area that no doubt will follow soon. It is particularly significant that it specifically respects the 1986 Waterfront Overlay Ordinance.

3. Other development in the South Bank Alliance area. Construction has begun on the Binswanger tract along S. Lamar. This tract is developed under existing zoning at a maximum of 60 feet. There also are some rumors that there are plans to develop the westernmost portion of the area (i.e. closest to Zilker Park), but there is nothing concrete to report. The Zilker NA and its president, Jeff Jack, have done a good job to watch development activity in this area.

4. 3508 S. Lamar (State Farm / Citibank tract). The owner of this four-acre tract is requesting a zoning change from GR (neighborhood commercial) to GR-MU. The mixed use overlay would give the developers the possibility to put in condos right on top of the bluffs in the Barton Creek watershed--at a height of 60 feet. No site plan has been filed, but this clearly is the intention. We would like to limit the size of future developments on this site and to keep development away from the bluffs overlooking Barton Creek and therefore plan to oppose the zoning change at this point. The case is going to the Planning Commission on Tuesday night--the same night as our BHNA meeting. I will meet with the owner's agent on Monday morning to see if we can enter negotiations. I will send you an update later on Monday. To look at the documentation go to the CoA development search: https://www.ci.austin.tx.us/devreview/a_queryfolder_permits.jsp

Enter the following case number: C14-07-0019.

5. The neighborhood planning process has been at a standstill since last fall. A team of UT mediators is attempting to get the process going again. Representatives of the South Lamar Planning Area (Barton Hills, Zilker, Barton View, South Lamar, and Galindo) had a half-day meeting with city staff last Wednesday to air the issues, and we will have another half-day meeting this coming Wednesday.

Best, Peter

[Non-text portions of this message have been removed]

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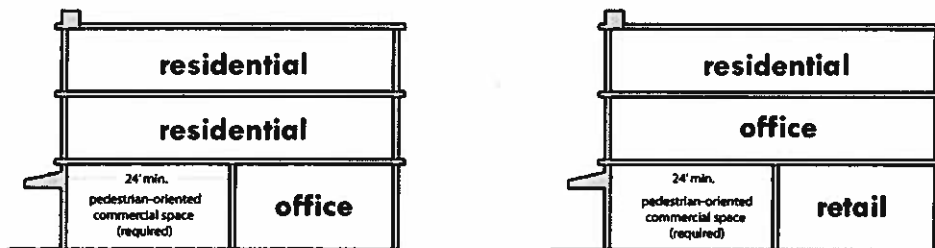
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6/4/2007

OVERVIEW OF VERTICAL MIXED USE (VMU) AND THE VMU OPT-IN/OPT-OUT PROCESS

WHAT IS A VERTICAL MIXED USE BUILDING?

A vertical mixed use building contains a mix of residential and commercial uses. Typically, commercial uses (i.e. retail shops, restaurants, offices) are located on the ground floor, while residential units (condominiums or apartments) are located on upper levels. Below, are some examples of a vertical mixed use building:



WHAT IS THE VERTICAL MIXED USE (VMU) OVERLAY DISTRICT?

In an effort to encourage vertical mixed use buildings, the City Council established a vertical mixed use (VMU) overlay district. The district includes most commercially zoned and used properties along Core Transit Corridors and Future Core Transit Corridors as defined in the Commercial Design Standards. Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Examples include sections of South Congress Avenue, Riverside Drive, North and South Lamar Boulevard, and Guadalupe Street. Properties within this district have the additional option to develop a vertical mixed use building subject to specific design standards.

WHY VERTICAL MIXED USE BUILDINGS?

- Encourages density on commercial corridors with higher levels of transit service
- Focused on the creation of a high quality pedestrian and transit-supportive environment
- Consistent with Envision Central Texas (ECT) Preferred Scenario
- Provides a more sustainable development pattern

WHAT ARE THE STANDARDS FOR A BUILDING?

- Must have a mix of uses
- Must have pedestrian-oriented spaces on the ground floor
- Must contain residential dwelling units
- Possibility for relaxed site development standards—some of which require a residential affordability component

WHAT ARE THE RELAXED SITE DEVELOPMENT STANDARDS?

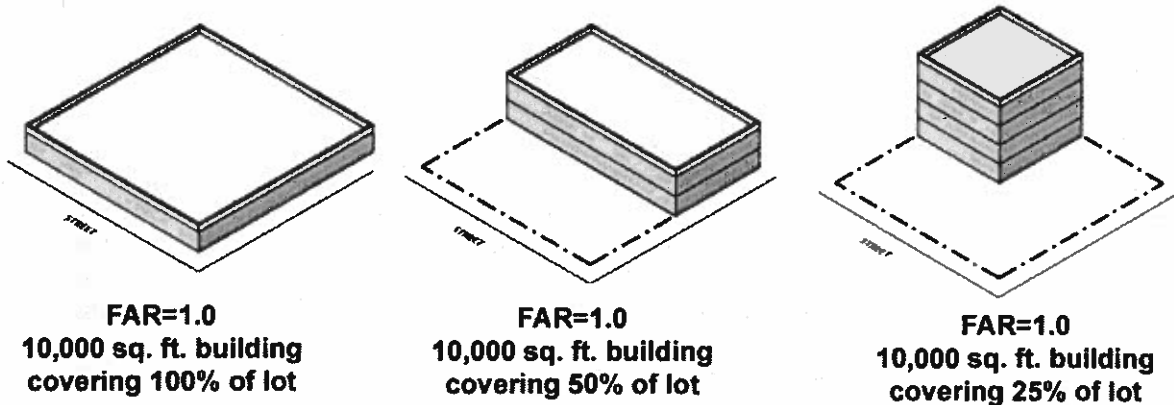
Dimensional Standards

These dimensional standards listed below are a "package" and must be accepted or rejected as such in the opt-in/opt-out process.

- **Setbacks**—no minimum front, street side or interior side yard setbacks. A setback refers to how far a building must be placed from a particular property line.
- **Floor to Area Ratio**—no floor to area ratio (FAR) limit.

The floor area ratio (FAR) is the principal bulk regulation controlling the size of buildings. FAR is the ratio of total building floor area in relation to the area of its zoning lot. Each zoning district has an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum amount of floor area allowable in a building on the zoning lot.

For example, on a 10,000 square-foot zoning lot in a district with a maximum FAR of 1.0, the floor area of a building cannot exceed 10,000 square feet.



- **Building Coverage**—no building coverage limit. Most zoning districts place a percentage limit on the amount of a lot that may be covered by a building. This provision would not change the amount of impervious cover allowed on site. Impervious cover is anything that stops water from being absorbed into the ground and includes such things as buildings, driveways, and sidewalks.
- **Minimum Site Area**—no "minimum site area" requirements. Site area requirements limit the number of dwelling units on a site by requiring a certain amount of square footage at a site for a specific type of multi-family unit (efficiency, one-bedroom, two-bedroom, etc.). For example, if a zoning district for a 10,000 square foot lot requires 2,500 square feet for each two-bedroom unit, then four two-bedroom units can be built on that lot.

Off-Street Parking Reduction

Minimum off-street parking for the commercial uses within a VMU building can be reduced to 60% of the normal Land Development Code requirements. Residential uses within a VMU building receive this parking reduction by right and cannot be changed through this process. The parking reduction cannot be used in addition to any other parking reduction allowances

such as the one for properties within the Urban Core. Below are some typical uses and the amount of parking required.

- A small restaurant or bar, billiard parlor—one space per 100 sq/ft of floor space
- Convenience Store, bank, bowling alley, liquor store, barber shop, yoga studio, pet shop—one space per 275 sq/ft of floor space
- Furniture or carpet store—one space per 500 sq/ft of floor space

Additional Ground Floor Commercial Uses in Office Districts

If approved through the opt-in/opt-out process, the following commercial uses will be allowed in a VMU building in an office zoning district (**NO, LO, GO**):

- Consumer convenience services (allows private postal boxes, safety deposit boxes, and ATMs)
- Food Sales (allows grocery stores, delicatessens, meat markets, retail bakeries, and candy shops),
- General Retail Sales Convenience and General (allows a full range of retail establishments)
- Restaurants Limited and General (without drive-thrus).

Zoning use information can be found starting on page 45 of the following document:
http://www.ci.austin.tx.us/zoning/downloads/np_guide.pdf.

WHAT IS THE OPT-IN/OPT-OUT PROCESS?

The City Council established a one-time process whereby neighborhoods provided recommendations on the location and the development characteristics of Vertical Mixed Use (VMU) buildings. Application materials were sent to each registered neighborhood planning team, or neighborhood association if there was not an established planning team.

The Neighborhood Planning & Zoning Department is currently in the process of reviewing the application submittals and forwarding the neighborhood recommendations to Planning Commission and City Council. The Planning Commission reviews the neighborhood requests and forwards a recommendation to City Council. After considering the Neighborhood's and Planning Commission's recommendations, the City Council makes a decision on the vertical mixed use application.

WHAT TYPES OF RECOMMENDATIONS CAN BE MADE BY THE NEIGHBORHOOD?

- 1) Amend the boundaries of the vertical mixed use overlay district to remove a property from the overlay district. If a property is removed from the overlay district, a vertical mixed use building is not permitted on the property.
- 2) Allow for the vertical mixed use building option on properties outside of the VMU Overlay. A neighborhood can recommend to opt-in a commercially zoned property with any of the relaxed dimensional standards.
- 3) VMU Overlay District Opt-Out—the neighborhood can recommend to remove some or all of the relaxed site development standards to the VMU eligible properties within the overlay district.

- 4) **Affordability Level**—If VMU Buildings are approved through the opt-in/opt-out process and take advantage of the dimensional and/or parking exemptions they are subject to certain affordability requirements.

Owner-Occupied Units—Five percent of residential units shall be affordable for households earning no more than 80 percent of the current Median Family Income (MFI). Five percent of the residential units shall be affordable for households earning no more than 100 percent of the MFI. The affordability period is 99 years.

Rental Units—Ten percent of the residential units shall be affordable for households earning no more than 80 percent of the current MFI. As part of the opt-in/opt-out process, a neighborhood association or neighborhood planning team may request that the affordable rental units be available for renters earning a lower percentage of the median family income. This percentage can range from 80% to as low as 60 percent of the median family income. The affordability period is 40 years.

OTHER FREQUENTLY ASKED QUESTIONS:

DO I HAVE TO BUILD A VERTICAL MIXED USE BUILDING IF I GET REZONED THROUGH THE OPT-IN/OPT-OUT PROCESS?

The vertical mixed use combining district adds an additional development *option* to a property. Any property owner that gets their property rezoned through the opt-in/opt-out process to add the vertical mixed use building “V” combining district will still have the right to (re)develop under their existing base zoning district.

HOW HIGH CAN A VERTICAL MIXED USE BUILDING BE BUILT?

A vertical mixed use building cannot be built any higher than the base zoning district. For example, if your zoning is GR-V (community commercial-vertical mixed use building-combining district), the height limit would be 60 feet which is permitted under GR zoning.

IF THERE IS NO MINIMUM FRONT, STREET SIDE OR INTERIOR SIDE YARD SETBACKS CAN A VMU BUILDING BE BUILT RIGHT ON MY PROPERTY LINE?

The City of Austin requires compatibility standards to help minimize negative impacts between low-intensity and high-intensity uses. Any lot zoned for condominium, multifamily, office, commercial, or industrial uses must comply with compatibility standards if it is adjacent to, across the street from, or within 540 feet of a single-family zoning district or use.

HOW WILL I KNOW IF/WHEN A VERTICAL MIXED USE BUILDING IS BEING CONSTRUCTED?

Any property owner/developer who chooses to construct a vertical mixed use building must submit a site plan to the City. Filing of a site plan requires a notice of application be sent to all property owners and registered neighborhood organizations within 300 feet of the site via US Mail.

WHAT CAN I DO IF I DO NOT AGREE WITH THE NEIGHBORHOOD RECOMMENDATION?

The Opt-In/Opt-Out process includes two public hearings, first at Planning Commission and then at City Council. If you do not agree with the neighborhood recommendations you can submit a public comment form or email the zoning case manager with your comments. All comments will be forwarded to both Planning Commission and City Council. There is also an opportunity to attend the public hearings and state your comments directly to the Commissioners and City Council members.

HOW CAN I GET A VMU BUILDING ON MY PROPERTY IF I AM NOT IN THE OVERLAY DISTRICT?

Any property owner can apply for a rezoning of their property to add the vertical mixed use building "V" combining district. The Planning Commission reviews the applicant's request and forwards a recommendation to City Council.

IF THERE IS NOT A MINIMUM BUILDING COVERAGE REQUIREMENT, ARE THERE ANY OTHER LIMITATIONS ON BUILDING COVERAGE ON A LOT?

The City's impervious cover limits and compatibility standards will still apply.

WHERE CAN I FIND MORE INFORMATION ABOUT THE COMMERCIAL DESIGN STANDARDS AND VMU?

http://www.ci.austin.tx.us/planning/downloads/Subchapter_E_Design_Standards.pdf

<http://www.ci.austin.tx.us/planning/verticalmixeduse.htm>

PLANNING COMMISSION HEARING

DATE: March 11, 2008 TIME: 6:00 P.M.
LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

CITY COUNCIL HEARING

DATE: March 27, 2008 TIME: 4:00 P.M.
LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Barton Hills Neighborhood Planning Area, please call Greg Montes at (512) 974-2629 or email at: gregory.montes@ci.austin.tx.us. Si Ud. Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

PLANNING COMMISSION COMMENT FORM

ATTN: GREG MONTES

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Greg Montes, Austin, TX 78767-8835.

File # C14-2008-0043

Planning Commission Hearing Date: March 11, 2008

Name (please print) ALEX SALAZAR

☒ I am in favor
(Estoy de acuerdo)

Address 3500 S. LAMAR BLVD., Austin, TX 78704

☐ I object
(No estoy de acuerdo)

TRACT #4 TCAD PROPERTY I.D. #306059

INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

During its public hearing, the board or commission may postpone or continue an applicant's hearing to a later date. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.